FARAD CONTINUATION SHEET.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION No.5722 OF 2005.
IN
FIRST APPEAL St. No.735 of 2005.

Office Notes,Office Memorandum of Coram apperance,Court's Orders & Directions and Registrar's Order.	Court or Judge's Order.

Mr.Lokesh i/b G.S.Hegde & Asso.
for the Applicant.

Ms.Leena Patil h/f M.S.Karnik for
Respdt.Nos. 1 to 4.

CORAM: S.B.DESHMUKH,J.

DATED: 12.9.2006.

P.C.:-

1] Heard the learned Counsel for the Parties.

2] By this Civil Application, the Applicant is seeking condonation of delay of twenty seven days occurred in filing the First Appeal in this Court. Delay is explained in para no.3 of the Civil Application. According to the Applicant, the amount of Rs.25,000/- is deposited in the Trial Court. Receipt was not

available and, therefore, the learned Counsel for the Applicant directed the Applicant to get receipt. Receipt was handed over to Advocate on 23rd December, 2004.The Appeal is thereafter filed in this Court. The learned Counsel for the Applicant has shown the receipt bearing No.732 issued by the Tribunal in favour of the Applicant for an amount of Rs.25,000/- deposited on 7th December,2004 in M.A.C.P.No.907 of 1998.

3] I have also perused the order passed by this Court on 18th January, 2005.

4] Case for condonation of delay is established. However, the Applicant needs to deposit an amount of Rs. 25,000/- towards statutory deposit, in accordance with Section 173 of the Motor Vehicles Act, in this Court, within a period of four weeks from today.

5] In the result, the Civil Application is allowed and disposed of accordingly. Delay of 27 days in filing the Appeal is condoned. The Applicant is directed to deposit an amount of Rs. 25,000/- towards statutory deposit within a period of four weeks from today in this Court. In case of failure on the part of the Applicant to deposit an amount of Rs.25,000/-, Appeal filed by the Applicant shall stand dismissed without reference to this Court.

[S.B.DESHMUKH,J.]